



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/830,498	07/24/2001	Rana Dutta	770P009584	8232
2512	7590	10/20/2004	EXAMINER	
PERMAN & GREEN 425 POST ROAD FAIRFIELD, CT 06824			WINTER, JOHN M	
			ART UNIT	PAPER NUMBER
			3621	
DATE MAILED: 10/20/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/830,498

Applicant(s)DUTTA ET AL. *ST***Examiner**

John M Winter

Art Unit

3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 August 2004.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-41 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1 - 5, 7, 9, 15-25, 27, 29, and 35-41 is/are rejected.
7) ☒ Claim(s) 6, 8, 10-14, 26, 28 and 30-34 is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Art Unit: 3621

DETAILED ACTION

Claims 1-40 remain pending
Claim 41 has been appended.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Response to Arguments

The Applicants arguments filed on August 4, 2004 have been fully considered but are not persuasive.

As per Claims 1 and 21 ,
The Applicant states that the previously disclosed references of Kara, (WO 97/14117) in view of Berson (US Patent No 5,768,384) fails to disclose the amended feature of generating a “shippers label”

The Examiner responds that the Kara reference discloses printing an a card with both an address and a return address (page 34, lines 5-25) i.e. a “shippers label”.

The Applicant states that the claims of the present invention are directed towards a different purpose and are not obvious in view of the prior art.

Examiner responds that as per *Ex parte Clapp*, 227 USPQ 972 (Bd Pat App & Int) “To support conclusion that claimed combination is directed to obvious subject matter, the references must either expressly or impliedly suggest claimed combination or the examiner must present a convincing line of reasoning as to why artisan would have found claimed invention to have been obvious in light of the references teachings.”, the Examiner states the reference deals with the generalized problem of parsing and distributing media and therefore the combination of these two references would be obvious to a person of ordinary skill in the art.

See following rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 3621

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 – 5,7,9,15-25, 27, 29, and 35-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kara, (WO 97/14117) in view of Berson (US Patent No 5,768,384).

As per claim 1,

Kara ('117) discloses a method for shipping/mailling articles comprising the steps of: producing the shipping/mailling data for generating a shipper's label.(Figure 16b; also page 34, lines 5-25)

Kara ('117) does not explicitly disclose generating shipping/mailling data for one of the articles at one of a plurality of client terminals which are linked to a host terminal, wherein generating comprises information transfer between the client terminal and the host terminal. Berson ('384) discloses generating shipping/mailling data for one of the articles at one of a plurality of client terminals which are linked to a host terminal,(Abstract) wherein generating comprises information transfer between the client terminal and the host terminal. (Figure 3) It would be obvious to one having ordinary skill in the art at the time the invention was made to combine the Kara method with the Berson in order to reduce the cost of operation by utilizing a network that can be centrally managed.

Claim 21 is in parallel with claim 1 and is rejected for at least the same reasons.

As per claim 2,

Kara ('117) discloses the method of claim 1, wherein producing comprises printing the shipping/mailling data.(Figure 16b)

Claim 22 is in parallel with claim 2 and is rejected for at least the same reasons.

As per claim 3,

Kara ('117) discloses the method of claim 1, wherein producing comprises encoding the shipping/mailling data in a 3 dimensional bar code.(Figure 3)

Claim 23 is in parallel with claim 3 and is rejected for at least the same reasons.

As per claim 4,

Kara ('117) discloses the method of claim 1,

Kara ('117) does not explicitly disclose encrypting the data. Berson ('384) discloses encrypting the data. (Figure 3) It would be obvious to one having ordinary skill in the art at the time the invention was made to combine the Kara method with the Berson in order to increase security of the system.

Art Unit: 3621

Claim 24 is in parallel with claim 4 and is rejected for at least the same reasons.

As per claim 5,

Kara ('117) discloses the method of claim 1,

Kara ('117) does not explicitly disclose shuffling the data. Berson ('384) discloses shuffling the data. (Figure 3) It would be obvious to one having ordinary skill in the art at the time the invention was made to combine the Kara method with the Berson in order to increase security of the system.

Claim 25 is in parallel with claim 5 and is rejected for at least the same reasons.

As per claim 7,

Kara ('117) discloses the method of claim 1,

generating the shipping/mailling data comprises pasting from a clipboard.

Official Notice is taken that "generating the shipping/mailling data comprises pasting from a clipboard" is common and well known in prior art in reference to computer programs. It would have been obvious to one having ordinary skill in the art at the time the invention was made to generate the shipping/mailling data comprises pasting from a clipboard in order to accurately transfer data.

Claim 27 is in parallel with claim 7 and is rejected for at least the same reasons.

As per claim 9,

Kara ('117) discloses the method of claim 1,

wherein generating the shipping/mailling data comprises selecting a class of 3 service.(Figure 13)

Claim 29 is in parallel with claim 9 and is rejected for at least the same reasons.

As per claim 15,

Kara ('117) discloses the method of claim 1,

Official Notice is taken that "an application for servicing the client terminals keeps running even in the absence of a request from a client terminal" is common and well known in prior art in reference to computer programs. It would have been obvious to one having ordinary skill in the art at the time the invention was made that an application for servicing the client terminals would keep running even in the absence of a request from a client terminal in order to reserve computer resources for the application.

Claim 35 is in parallel with claim 15 and is rejected for at least the same reasons.

As per claim 16

Kara ('117) discloses the method of claim 1,

Official Notice is taken that "the host terminal has a launcher application for keeping the application running" is common and well known in prior art in reference to computer programs.

Art Unit: 3621

It would have been obvious to one having ordinary skill in the art at the time the invention was made that the host terminal has a launcher application for keeping the application running in order to prevent the operating system from faulting.

Claim 36 is in parallel with claim 16 and is rejected for at least the same reasons.

As per claim 17

Kara ('117) discloses the method of claim 1, further comprising the host terminal referring to a hardware key for enforcing 3 license compliance.(Figure 7b)

Claim 37 is in parallel with claim 17 and is rejected for at least the same reasons.

As per claim 18

Kara ('117) discloses the method of claim 17, Official Notice is taken that "compliance with a maximum number of client terminals being serviced by the host terminal" is common and well known in prior art in reference to computer programs. It would have been obvious to one having ordinary skill in the art at the time the invention was made that compliance with a maximum number of client terminals being serviced by the host terminal in order to prevent the server from being overloaded.

Claim 38 is in parallel with claim 18 and is rejected for at least the same reasons.

As per claim 19

Kara ('117) discloses the method of claim 17, Official Notice is taken that "the host terminal making callbacks to the client terminal" is common and well known in prior art in reference to computer programs. It would have been obvious to one having ordinary skill in the art at the time the invention was made that the host terminal would make callbacks in order to prevent all of the available slots from being locked by dead terminals.

Claim 39 is in parallel with claim 19 and is rejected for at least the same reasons.

As per claim 20

Kara ('117) discloses the method of claim 17, Official Notice is taken that "the host terminal allowing a different terminal to fill in for a disconnected terminal" is common and well known in prior art in reference to computer programs. It would have been obvious to one having ordinary skill in the art at the time the invention was made that the host terminal allowing a different terminal to fill in for a disconnected terminal in order to prevent all of the available slots from being locked by dead terminals.

Claim 40 is in parallel with claim 20 and is rejected for at least the same reasons.

Art Unit: 3621

As per claim 41,

Kara ('117) discloses a method for shipping/mailling articles comprising the steps of:

Printing shipping and delivery information on a label at least a portion of the information being encoded.(Figure 3)

Generating a label suitable for the carrier based on the scanned shipping and delivery information .(Figure 16b; also page 34, lines 5-25)

Scanning the encoded shipping and delivery information at a carrier site identified in the shipping and delivery information. (Figure 16b)

Kara ('117) does not explicitly disclose entering shipping and delivery information at a client location . Berson ('384) discloses entering shipping and delivery information at a client location,(Abstract). It would be obvious to one having ordinary skill in the art at the time the invention was made to combine the Kara method with the Berson in order to reduce the cost of operation by utilizing a network that can be centrally managed.

Allowable Subject Matter

Claims 6, 8, 10-14, 26, 28 and 30-34 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Examiners note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John M Winter whose telephone number is (703) 305-3971. The examiner can normally be reached on M-F 8:30-6, 1st Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James P Trammell can be reached on (703)305-9768. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7687 for regular communications and (703) 305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.


JAMES P. TRAMMELL
SUPERVISORY PATENT EXAMINER
TECHNICAL

Application/Control Number: 09/830,498

Page 7

Art Unit: 3621

JMW

October 16, 2004